



POLICY FLASH 2013- 61

DATE: June 19, 2013

TO: Procurement Directors


FROM: Director
Policy Division
Office of Procurement and Assistance Policy
Office of Acquisition and Project Management

SUBJECT: The Whistleblower Protection Enhancement Act of 2012 and How It Affects Federal Employee Non-Disclosure Policies, Forms, Certificates, Agreements and Acknowledgments

SUMMARY: **Acquisition Letter (AL) 2013-08** and **Financial Assistance Letter (FAL) 2013-05** provide Contracting Officers with notice of the recently passed, Whistleblower Protection Enhancement Act of 2012 (WPEA), Pub.L. 112-199, and the DOECAST issued in response on April 24, 2013. This AL/FAL informs DOE/NNSA Contracting Officers to update any Non-Disclosure Policies, Forms, Certificates, Agreements, and Acknowledgments (collectively "NDAs") to be used with Federal employees participating in proposal or application evaluations, source selection situations as well as in merit review situations, to conform to the new requirements of this law. It also informs DOE/NNSA Contracting Officers on how to document the notification to Federal employees of the new protections stated in the WPEA if they have signed NDAs without the new statement as required by the WPEA.

This flash and its attachments will be available online at the following website: http://management.energy.gov/policy_guidance/policy_flashes.htm.

For questions concerning the Whistleblower Protection Enhancement Act of 2012 or the April 24, 2013 DOECAST, contact Beth Kelly, Deputy Assistant General Counsel for Procurement and Financial Assistance at (202) 586-6906 or beth.kelly@hq.doe.gov.

For DOE, contact Richard Bonnell of the Contract and Financial Assistance Policy Division, Office of Policy, Office of Acquisition and Project Management at (202) 287-1747 or richard.bonnell@hq.doe.gov; or for

NNSA, contact Kim Gallegos at (202) 586-8069 or kim.gallegos@nnsa.doe.gov.

Attachments